



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#0360
No Fee

Patent Application of:
Archibald Jr., et al.

Serial No. 09/872,386
Filed: June 1, 2001

For:

**STORAGE MEDIA SCANNER APPARATUS
AND METHOD PROVIDING MEDIA
PREDICTIVE FAILURE ANALYSIS
AND PROACTIVE MEDIA SURFACE DEFECT
MANAGEMENT**

Atty Docket No. SJ09-2000-0075-US1
A-69614/RMA/JED

CERTIFICATE OF MAILING

*I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in an
envelope addressed to: Assistant Commissioner for Patents
Washington, DC 20231, Office of Initial Patent Examination on
October 2, 2001*

Signed:

Patricia A. Diehl
Patricia A. Diehl

**RESPONSE TO NOTICE TO FILE
CORRECTED APPLICATION PAPERS**

Assistant Commissioner of Patents
Washington, DC 20231
BOX: Office of Initial Patent Examination

Sir:

In response to the Notice to File Corrected Application Papers mailed August 2, 2001, a copy of which is enclosed, Applicants herewith submit the following:

- 1033295
- ☐ Executed Power of Attorney by Assignee and Exclusion of Inventor
 - ☐ Executed Declaration of Inventor
 - ☐ Assignment/Cover Sheet
 - ☐ Request to Correct Filing Receipt
 - ☐ Petition for Extension
 - ☒ Substitute set of 4 drawing sheets, Figs. 1-5
 - ☒ Amended specification renumbering pages consecutively and canceling incomplete sentences caused by omitted pages
 - ☒ A marked up version of the amended specification, showing all of the changes to the specification of record
 - ☐ A check is enclosed for

Please charge any fees associated with this communication to Deposit Account 06-1300 (Order No. A-69614/RMA).

Respectfully submitted,
FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP

By

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,386	06/01/2001	John Edward Archibald JR.	SJ09-2000-0075-US1

CONFIRMATION NO. 2880

FORMALITIES LETTER



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Suite 3400
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San Francisco, CA 94111-4187

~~11/01/2001~~ ~~00000000~~ ~~061300~~ ~~09872386~~

Date Mailed: 08/02/2001

~~01 FC:105~~ ~~130.00 CH~~

NOTICE TO FILE CORRECTED APPLICATION PAPERS

~~Adjustment date: 11/27/2001 SSALEEKU~~
~~11/01/2001~~ ~~00000000~~ ~~061300~~ ~~09872386~~
~~01 FC:105~~ ~~130.00 CH~~

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

~~11/27/2001~~ ~~SSALEEKU~~ ~~00000000~~ ~~061300~~ ~~09872386~~

~~01 FC:105~~ ~~80.00 CH~~ drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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~~11/27/2001~~ ~~00000000~~ ~~061300~~ ~~09872386~~
~~01 FC:105~~ ~~80.00 CH~~

item(s) appear to have been omitted from the application:

- Page(s) 2 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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